

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ABN AMRO BANK N.V. (presently known as
THE ROYAL BANK OF SCOTLAND, N.V.),

Defendant.

Adv. Pro. No. 10-05354 (SMB)

**DECLARATION OF MICHAEL S. FELDBERG IN SUPPORT OF ABN AMRO BANK
N.V.'S (presently known as THE ROYAL BANK OF SCOTLAND N.V.)
SUPPLEMENTAL MEMORANDUM OF LAW IN OPPOSITION TO THE TRUSTEE'S
MOTION FOR PRE-MOTION-TO-DISMISS DISCOVERY**

Pursuant to 28 U.S.C. § 1746, I, Michael S. Feldberg, declare the following:

1. I am an attorney admitted to practice before this Court and am a partner with Allen & Overy LLP, counsel for defendant ABN AMRO Bank N.V. (*presently known as* the Royal Bank of Scotland N.V.) ("RBS/ABN"), in the above-captioned adversary proceeding.

2. I respectfully submit this declaration in support of RBS/ABN's Supplemental Memorandum of Law in Opposition to the Trustee's Motion for Pre-Motion-to-Dismiss Discovery, and in order to place before the Court the following exhibits attached hereto.

3. Attached hereto as Exhibit A is a true and correct copy of Plaintiff's Subpoena for Rule 2004 Examination addressed to the "Royal Bank of Scotland" and dated March 10, 2009.

4. Attached hereto as Exhibit B is a true and correct copy of Plaintiff's Subpoena for Rule 2004 Examination addressed to "ABN Amro – Netherlands" and dated March 13, 2009.

5. Attached hereto as Exhibit C is a true and correct copy of Plaintiff's Subpoena for Rule 2004 Examination addressed to "ABN Amro" and dated March 13, 2009.

6. In response to the subpoenas attached as Exhibits A–C, the Royal Bank of Scotland, ABN Amro – Netherlands and ABN Amro conferred with the Trustee and made document productions in April and May 2009, comprised of 944 documents totalling 991 pages. I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 6, 2017
New York, New York

Respectfully submitted,

/s/Michael S. Feldberg
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N.V.)*